

Attorney Docket No. BC45226

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruck, et al.

Serial No.: Unknown

Filed: Herewith

For: Novel Compounds

Group Art Unit No.: Unknown

Examiner: Unknown

Commissioner for Patents

Washington, D.C. 20231

"Express Mail" mailing label number **EF 391 022 925 US**

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and addressed to: Commissioner of Patents, Washington, DC 20231, on September 26, 2001.


Colleen Hanagan

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.56**

Applicants herein make available to the Patent and Trademark Office copies of the references, listed on the enclosed Form PTO-1449 (PTO-2), in accordance with 37 CFR 1.98(a)(2).

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of this application. It is believed that the Examiner will concur with Applicant's belief that the foregoing references do not adversely affect the patentability of the subject matter presently claimed, taken alone or in combination.

It is requested that the listed references be included in the "References Cited" portion of any patent issuing from this application.

Under 37 CFR 1.97(i), Applicants understand that non-complying Information Disclosure Statements will be placed in the file but not considered by the Office, however, under Reply to Comment 8 of the Federal Register, page 2024, Applicants will be informed when information is not considered.

(1) **This Information Disclosure Statement is being filed:**

☐

within three months of the filing date of the patent application.

- ☒ within three months of the date of entry into the national stage as set forth in 37 CFR 1.491 of the international application.
- ☐ **before** the mailing date of a first Office Action on the merits.
- ☐ **after** the mailing date of the first Office Action on the merits, but **before** the mailing date of
- a Final Action under 37 CFR 1.113,
a Notice of Allowance under 37 CFR 1.311, or
an action that otherwise closes prosecution,
- and is accompanied by either:
- ☐ the Statement under 37 CFR 1.97(e) (see "Statement" below), **or**
- ☐ the fee under 37 CFR 1.17(p).
- ☐ **after** the mailing date of
- a Final Action under 37 CFR 1.113,
a Notice of Allowance under 37 CFR 1.311, or
an action that otherwise closes prosecution,
- and is accompanied by both:
- the Statement under 37 CFR 1.97(e) (see "Statement" below), **and**
the fee under 37 CFR 1.17(p).

(2) **Statement**

- ☐ The **undersigned attorney** hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

(If this box is checked, do not check any further Statement boxes.)

or

- ☐ The **person signing immediately below** hereby states that no item of information contained in the Information Disclosure was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

PATENT
DOCKET NO. BC45226

The person making the statement is:

☐ the inventor(s) who sign(s) below:

Signature of the Inventor(s)

Typed or Printed Name of the Inventor(s)

or

☐ a person who is substantively involved in the preparation or prosecution of the application, and who is associated with the inventor(s), or with the assignee, or with anyone to whom there is an obligation to assign the application (37 CFR 1.565(c)) and who signs below:

Signature of the Person(s)

Typed or Printed Name of the Person

Address of Person Signing

or

☒ the undersigned agent who signs on the basis of the information:

☒ supplied by the inventor(s).

☒ supplied by an individual designated in 37 CFR 1.56(c).

☒ in the attorney's file.

E. C. Merkle

Signature of the Agent

(3) **Petition**

☐ Applicants hereby petition the Commissioner to consider the references listed in this Information Disclosure Statement and on the enclosed Form PTO-1449, in the examination of the above-identified patent application.

PATENT
DOCKET NO. BC45226

(4) **Fees**

- ☒ **No Fee** is owed by the applicants.
- ☐ **The IDS Fee** of \$180.00 under 37 CFR 1.17(p) is enclosed herewith.
- ☐ Applicant hereby authorizes the Commissioner to charge the IDS Fee of \$180.00 under 37 CFR 1.17(p) to Deposit Account No. 50-0258.

(5) **Method of Payment of Fees**

- ☐ Attached is a check in the amount of \$180.00.
- ☐ Charge Account No. 50-0258 in the amount of \$180.00. (A duplicate of this request is attached).

(6) **Authorization to Charge Additional Fees**


- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 50-0258.

(7) **Instructions as to Overpayment**

- ☐ Please credit Account No. 50-0258 for any overpayment.
- ☐ Please refund Dechert in the amount of \$_____.

A prompt and favorable response is earnestly solicited.

Respectfully submitted,



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Form PTO - 1449 U.S. Department of Commerce (Modified) Patent and Trademark Office	Attorney Docket No. BC45226 Serial No.: Unknown Applicant: Bruck, et al. Filing Date: Herewith Art No. Unknown Examiner Unknown
Information Disclosure Statement by Applicant (use several Sheets if necessary) (37CFR 1.98(b))	

U.S. PATENT DOCUMENTS

Exmr Initial	Patent Number	Issue Date	Patentee	Class	Sub- Class	Filing Date If Appropriate

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Exmr Initial	Document Number	Publn Date	Country or Patent Office	Class	Sub- Class	Translation? Yes No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Place of Publication**)

AD	International Search Report from corresponding International Application No. PCT/EP00/02478.
AE	"ak13d08.s1 Soares parathyroid tumor_NbHPA Homo sapiens cDNA clone IMAGE:1405839.3, mRNA sequence", EMBL Database Accession No. AA890726, 06 April 1998, XP002141255.
AF	"qo16g05.x1 NCI_CGAP_Lu5 Homo sapiens cDNA clone IMAGE:1908728 e, mRNA sequence", EMBL Database Accession No. AI301140, 04 December 1998, XP002141256.
AG	"we72g04.x1 Soares Dieckgraefe colon_NHCD Homo sapiens cDNA clone IMAGE:2346678 3, mRNA sequence", EMBL Database Accession No. AI672868, 19 May 1999, XP002141254.
AH	Ohara, O. et al., "Homo sapiens mRNA for KIAA1324 protein, partial cds", EMBL Database Accession No. AB037745, 14 March 2000, XP002141282 & Nagase, et al., "Prediction of the coding sequences of unidentified human genes.XVI. The complete sequences of 150 new cDNA clones from brain which code for large proteins in vitro" DNA Res.I, Vol., 7, February 2000, pgs. 65-73, XP000923011.
Examiner	Date Considered

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO - 1449 [6-4])

- * Use publication date indicated on the patent or published application. 37 CFR 1.98(b).
 ** The place or publication refers to the name of the journal, magazine or other publication in which the article was published. Notice of January 9, 1992, 1135 O.G. 13 to 25 at 20.